

MAR 20 2015

A091 (Rev. 8/01) Criminal Complaint

David J. Bradley, Clerk of Court

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS**UNITED STATES OF AMERICA  
V.  
**Haley Breanna Khantaleen HUFFMAN-Sterling****CRIMINAL COMPLAINT**Case Number: **C-15-324M**I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 3/18/2015 in Kenedy County, in the

(Date)

Southern District of Texas defendant(s), **Haley Breanna Khantaleen HUFFMAN-Sterling**

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did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Official Title

See Attached Affidavit of U.S. Border Patrol Agent

**Jerrod Buckner**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

**Jerrod Buckner**

Printed Name of Complainant

Sworn to before me and signed in my presence and probable cause found on:

**March 20, 2015** *at 1:40pm*

Date

**B. Janice Ellington**, U.S. Magistrate Judge

Name and Title of Judicial Officer

at

**Corpus Christi, Texas**

City and State

Signature of Judicial Officer

### Affidavit

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information related to me by other agents and officers participating in the investigation.

#### SYNOPSIS:

On March 18, 2015, at approximately 4:35 p.m. Haley Breanna Khantaleen HUFFMAN-Sterling was apprehended at the Sarita, Texas USBP Checkpoint attempting to smuggle two undocumented immigrants in a white in color Chevrolet Impala sedan.

#### FACTS/PROBABLE CAUSE:

On March 18, 2015, Border Patrol Agent (BPA) Vincent Cahill was performing assigned primary inspection duties at the Sarita, Texas USBP Checkpoint along with Border Patrol Agent Lemay and his Canine partner Monza. At approximately 4:45 p.m. a white Chevrolet Impala approached the primary inspection area. As the vehicle stopped, BPA Cahill conducted an immigration inspection of the driver of the vehicle (later identified as Haley Breanna Khantaleen HUFFMAN-Sterling).

As BPA Cahill questioned HUFFMAN-Sterling to her citizenship he looked into rear seats of the sedan and noticed no additional passengers or baggage. HUFFMAN-Sterling stated that she was a United States Citizen. BPA Cahill then asked HUFFMAN-Sterling as to where she was going, to which she responded that she was going to Houston, Texas, yet sounded slightly unsure. At this point BPA Cahill then asked HUFFMAN-Sterling for consent to search the trunk. HUFFMAN-Sterling consented and opened the trunk. BPA Lemay and his canine partner, Monza who were also working primary duties at the time, then inspected the trunk and notified BPA Cahill that his Canine partner was alerting to the rear of the vehicle, and to send the vehicle to secondary due to a canine alert. While in secondary inspection, the trunk was opened and Border Patrol Agents Cahill and Lemay noticed what appeared to be speaker box with two sub-woofers that completely covered the trunk from left to right and top to bottom.

After noticing the false speaker box in the trunk, Border Patrol Agents Cahill and Lemay went to the back passenger area and removed the back rest portion of the back seat. At that time, two subjects, later identified as, Mario ALTAMIRANO-Altamirano, and, Leonel RIVERA-Nunez, were found hidden in a small compartment between the back seat and the false speaker box in the trunk.

Haley Breanna Khantaleen Huffman Sterling was then placed under arrest for attempting to smuggle Mario ALTAMIRANO Altamirano and Leonel RIVERA-Nunez, citizens of Mexico illegally present in the United States.

Border Patrol Agents Cahill and Lemay stated the following in regards to the compartment in which ALTAMIRANO and RIVERA were concealed in:

The trunk of the principal's vehicle was not able to be opened on the outside with a key. The only way the trunk could be accessed from the outside was the key in the ignition and the trunk access button was pushed from the inside of the vehicle. The only way to remove and access the aliens was to remove the total back portion of the rear seat. The illegal immigrant's freedom of movement inside the compartment was non-existent. The only way the false speaker-box wall could have been removed would be with hardware tools. Both subjects did not have shoes on, the shoes were outside

the compartment in the trunk area. When removed from the trunk, both aliens were sweating profusely and complained of dizziness from being so cramped and hot in the compartment. Both aliens were offered but refused medical treatment. A check of the local weather revealed that at the time of arrest the outside temperature was 75 Degrees Fahrenheit. That temperature combined with the body heat of two humans inside a compartment that small would create a safety issue.

MIRANDA/STATEMENT - PRINCIPAL:

Haley Breanna Khantaleen Huffman Sterling was read her Miranda Warnings Rights in English as per Service Form I-214 by BPA Mario Rosas at 4:50 p.m. She stated that she understood her rights and indicated so by signing the appropriate portion of the form. When asked if she was willing to make a statement without having an attorney present she stated that she was willing to do so. BPA Vincent Cahill, was present to witness the reading and signing of Haley Breanna Khantaleen Huffman Sterling's Miranda Rights.

PRINCIPALS STATEMENT:

Haley Breanna Khantaleen Huffman Sterling stated that Saturday March 14, 2015 she was at a birthday party with her friend, Sam. Later in the night while at the party, a man she did not know, named "Rick" (described as a husky Hispanic man about 5'5 with short hair approximately 40 years of age.), asked her to drive the car through the U.S.B.P. checkpoint near Sarita, Texas to Corpus Christi, Texas on Sunday March 15, 2015. Rick stated he wanted HUFFMAN-Sterling to drive the vehicle for him because he did not have a driver's license, and could not go through the checkpoint. HUFFMAN-Sterling states she was given \$200 in U.S. currency to drive the car through the checkpoint on Sunday March 15, 2015, to drop it off in Corpus Christi, Texas.

HUFFMAN-Sterling stated that on Sunday when she drove through the checkpoint in Rick's car and arrived in Corpus Christi, Texas to a pre-determined location which was McDonalds near I-37. HUFFMAN-Sterling received a call at approximately 5:00 p.m. from Rick telling her that there were two illegal immigrants in the vehicle and that they were to be dropped off at the pre-determined location. HUFFMAN-Sterling stated that she was only able to release the aliens by pulling off the entire backrest of the backseat. At this point HUFFMAN-Sterling stated that she let the aliens out of the vehicle at the McDonalds and immediately drove back to Harlingen, Texas.

HUFFMAN-Sterling then stated that today, March 18, 2015, Rick showed up at her friend's house in Harlingen, Texas at approximately 2:30 p.m. and offered HUFFMAN-Sterling his car again to drive up to Houston, Texas, and drive it back. In return HUFFMAN-Sterling was to receive \$400. HUFFMAN-Sterling then stated that she agreed and shortly left her home en route to Houston, Texas. HUFFMAN-Sterling stated that the first time she came through the checkpoint on Sunday, March 15, 2015 she was unaware of the aliens in the trunk but that she assumed there were aliens in the trunk today on her trip to Houston, Texas.

Principal admits to using a Verizon Samsung flip-phone for communication during smuggling activities on 03/15/2015 and 03/18/2015.

Material Witness #1 Statement:

Mario ALTAMIRANO Altamirano was read his Miranda Warnings Rights in Spanish as per Service Form I-214 by BPA Rolando Gaytan at 5:10 p.m. He stated that he understood his rights and indicated so by signing the appropriate portion of the form. When asked if he was willing to make a statement without having an attorney present ALTAMIRANO stated that he was willing to. BPA Mario Ocana was present to witness the reading and signing Mario ALTAMIRANO Altamirano's Miranda Rights

Mario ALTAMIRANO Altamirano stated that he entered the United States illegally just over a week ago. ALTAMIRANO said that he waded across the river near Hidalgo, Texas and walked through brush for four hours following a guide with five other illegal immigrants. After walking for four hours, ALTAMIRANO stated that he was picked up in a small car and taken to an unknown trailer home for about four hours then picked up by a man and taken to a house for five days. After those five days ALTAMIRANO stated that he then was moved to another house for five days. ALTAMIRANO stated that it was very hard for him to find food to eat. ALTAMIRANO said that he was fed every couple of days and was told to keep his mouth shut and that he would need to come up with more money. ALTAMIRANO was also told that the people at the stash house were capable of killing his family in Mexico.

ALTAMIRANO stated that he feared for his life. After the five days at the house ALTAMIRANO stated that he was taken to an unknown location by an unknown man and told to fit into the trunk of the car with another man. ALTAMIRANO claimed that while in the car he had nothing to drink, he couldn't breathe very well, he was uncomfortable with his limbs going numb, ALTAMIRANO stated that he could not move and thought he was going to die but could not find the air to yell. ALTAMIRANO stated that he paid \$1,500 to a man in Oaxaca to come to the United States. ALTAMIRANO stated that he had no idea how long he was in the trunk of the car, but it was at least an hour. ALTAMIRANO stated that he felt relieved after being rescued by the Border Patrol.

Material Witness #2 Statement:

Leonel RIVERA-Nunez was read his Miranda Warnings Rights in Spanish as per Service Form I-214 by BPA Rolando Gaytan 5:10 p.m. He stated that he understood his rights and indicated so by signing the appropriate portion of the form. When asked if he was willing to make a statement without having an attorney present he stated that he was willing to. BPA Mario Ocana was present to witness the reading and signing of Leonel NUNEZ Rivera's Miranda Rights

Leonel RIVERA-Nunez stated that he entered the United States illegally on March 15, 2015 by swimming across the river near Brownsville, Texas. After crossing the river there was a car with a male driver waiting for him and the other 10 individuals that he crossed with. After getting in the vehicle RIVERA stated he was taken to a house in Harlingen, Texas. RIVERA stated that it was only him and one other illegal immigrant in the house in Harlingen and they stayed there for three days. RIVERA stated on March 18, 2015, a car arrived with a thin man that had a mustache driving it. RIVERA stated that the man told him to get in the car and that he would be going to Houston, Texas. RIVERA stated that he was not provided any food or drink but that he was excited to go to Houston because his wife and children are there. RIVERA stated that next he was brought to a road outside Harlingen where two young men in a white car were waiting for him with another illegal immigrant.

The young men told RIVERA and the other alien to get into the trunk of the car through the rear seat. RIVERA explained that when he was in the trunk he had no idea or way to get out if need be and was not given and food or drink. RIVERA goes on to explain that once in the trunk the vehicle started to move immediately and he could not see anyone else or any other part of the vehicle. RIVERA stated that he was very scared in the trunk because it was extremely hot, he could not move, and he was having a difficult time breathing.

CASE DISPOSITION:

As per the Rio Grande Valley Sector Prosecutions North Office, prosecution was sought on HUFFMAN-Sterling under 8 USC 1324 for her felony involvement as the driver in this Criminal Alien Smuggling Case. ALTAMIRANO and RIVERA were processed accordingly and will be held as Material Witnesses for their involvement in this case (as smuggled aliens).

The facts of this case were presented to Assistant United States Attorney Chad Cowan who accepted HUFFMAN-Sterling for prosecution of 8 USC 1324, Alien Smuggling.

  
\_\_\_\_\_  
Jerrod Buckner  
Border Patrol Agent

Sworn to and subscribed before me on this 20th day of March 2015,  
and probable cause found.

  
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B. Janice Ellington  
United States Magistrate Judge